

# **INDIANA BOARD OF PHARMACY**

**Indiana Professional Licensing Agency  
Conference Center, Room W064  
402 W. Washington St.  
Indianapolis, IN 46204**

**MINUTES OF May 14, 2007**

## **CALL TO ORDER & ESTABLISHMENT OF QUORUM**

President and Presiding Officer Steve Anderson called the meeting to order at 9:03 a.m. in Conference Center Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204, and declared a quorum, in accordance with IC § 25-26-13-3.

### **Board Members Present:**

Steve Anderson, R.Ph., President  
William Cover, R.Ph., Vice President  
Del T. Fanning, R.Ph., Member  
Donna Wall, PharmD., R.Ph, Member  
Anika Calloway, J.D., Member  
Sara St. Angelo, PharmD., R.Ph, Member

### **Board Members Not Present:**

Winnie Landis, R.Ph., Member

### **State Officials Present:**

Marty Allain, Board Director, Indiana Professional Licensing Agency  
Amy Phillips, Assistant Board Director, Indiana Professional Licensing Agency  
Gordon White, DAG, Advisory Counsel, Office of the Attorney General

## **ADOPTION OF AGENDA**

A motion was made and seconded to adopt the agenda, as amended.

**Wall/St. Angelo**

**Motion carried 6/0/0**

## **ADOPTION OF MINUTES FROM April 9, 2007 MEETING OF THE BOARD**

A motion was made and seconded to adopt the minutes of the April 9, 2007 meeting of the Board with a correction to the Wal-Mart permit from approved to tabled.

**Fanning/St. Angelo**

**Motion carried 6/0/0**

## **PERSONAL APPEARANCES**

Reports were given by the Compliance Officers.

Robert Jaberg—Positive Response Pharmacy Technician Application

Robert Jaberg appeared before the Board regarding a positive response on his pharmacy technician application. A motion was made and seconded to grant Robert Jaberg a probationary technician certification.

**Wall/St. Angelo**

**Motion carried 6/0/0**

George Moffat appeared before the Board regarding a positive response on his pharmacy intern renewal. A motion was made and seconded to issue a probationary intern license to George Moffat.

**Cover/Wall**

**Motion carried 6/0/0**

Eric Spray appeared before the Board regarding a positive response on his pharmacy intern renewal. A motion was made and seconded to issue a probationary intern license to Eric Spray.

**Cover/St. Angelo**

**Motion carried 6/0/0**

Michelle Burg did not appear regarding a positive response on her pharmacy technician application.

Ashley Brown appeared before the Board regarding a positive response on her pharmacy technician application. A motion was made and seconded to issue a probationary license to Ashley Brown.

**Wall/Cover**

**Motion carried 6/0/0**

Andrea Bowen did not appear before the Board regarding a positive response on her pharmacy technician application.

*Donna Wall attended a settlement conference in the State of Indiana v. Gerry Bowman.*

Indiana Animal Health appeared before the Board regarding its pharmacy application. A motion was made and seconded to approve the pharmacy application and issue a pharmacy license to Indiana Animal Health.

*Donna Wall returned to the Board meeting.*

Munster Medical Center Infusion Pharmacies—Inspection

Board requested that compliance officer file consumer complaint adverse Munster Medical Center.

Wm S Major Hospital—Benesse Oncology Center Pyxis Machine

Board requested Major Hospital file a remodel application for the satellite pharmacy.

*Administrative Hearings started at 11:05 a.m. beginning with the following:*

**State of Indiana vs. Gerry Bowman, R.Ph.**

License No. 26017440A

Administrative Cause No. 2006 IBP 0040

Re: Final Hearing

**Parties and Counsel Present:**

Shelley Johnson, Deputy Attorney General

Mike McMains, Respondent's counsel

Gerry Bowman, Respondent

**Participating Board Members:**

Fanning  
Anderson  
St. Angelo  
Cover  
Calloway  
Wall

**Case Summary:**

A Complaint was filed adverse the Respondent's license.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

The parties presented an executed settlement agreement. A motion was made and seconded to approve the settlement agreement which includes indefinite probation.

**Cover/St. Angelo**

**Motion carried 6/0/0**

**State of Indiana vs. Kimberly A. Roberts, Pharmacy Technician**

Certification No. 67007320A

Administrative Cause No. 2004 IBP 0019

Re: Default Hearing

**Parties and Counsel Present:**

**Participating Board Members:**

Anderson  
Fanning  
Cover  
St. Angelo  
Calloway  
Wall

**Case Summary:**

A Notice of Proposed Default was issued by this Board. The Respondent did not respond to the Notice.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to hold the Respondent in default.

**Wall/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to revoke the pharmacy technician certification.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**State of Indiana vs. Gary Shingleton, R.Ph.**

License No. 26017494A

Administrative Cause No. 2002 IBP 009

Re: Order to Show Cause

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

An Order to Show Cause was issued to the Respondent for his failure to abide by terms of his probation.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to issue a notice of proposed default.

**Cover/St. Angelo**

**Motion carried 6/0/0**

**State of Indiana vs. Stephen Szalewski, R.Ph.**

License No. 26015110A

Administrative Cause No. 1998 IBP 0014

Re: Petition to Reinstate License

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

Stephen Szalewski, Respondent

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

A Petition to Reinstate Respondent's suspended license was filed by Respondent.

**Witnesses for the Respondent:**

Stephen Szalewski, Respondent

Carl Erdmann

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to deny the petition and allow for subsequent filing of a petition to withdrawal suspension by the Respondent in January 2008 or thereafter.

**Wall/St. Angelo**

**Motion carried 5/1/0 (Cover against)**

**State of Indiana vs. Jeremiah Strunc, R.Ph.**

License No. 26020446A

Administrative Cause No. 2005 IBP 0002

Re: Petition to Modify Probation

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

Jeremiah Strunc, Respondent

Karen Huelskamp, Respondent's counsel

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

A Petition to Modify Respondent's probationary license was filed by Respondent.

**Witnesses for the Respondent:**

Jeremiah Strunc

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to grant the Respondent's petition as to extending his work hours to thirteen (13) hour days with no more than fifty two (52) hours per week and deny the petition as to all other relief sought.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**State of Indiana vs. Linda Rodeman, R.Ph.**

License No. 26014593A

Administrative Cause No. 2007 IBP 0007

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Shelley Johnson, Deputy Attorney General

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

A Petition for Summary Suspension was filed adverse the Respondent's license.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to accept the settlement agreement summarily suspending the Respondent's license for ninety (90) days.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**State of Indiana vs. Angela Kruer, R.Ph.**

License No. 26019970A

Administrative Cause No. 2007 IBP 0005

Re: Extension of Summary Suspension

**Parties and Counsel Present:**

Shelley Johnson, Deputy Attorney General

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

State seeks an extension of the Respondent's summary suspension.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to accept the settlement agreement indefinitely voluntarily suspending her license.

**Cover/Fanning**

**Motion carried 6/0/0**

**State of Indiana vs. Danielle Boddie, Pharmacy Technician**

Certification No. 67008794A

Administrative Cause No. 2006 IBP 0010

Re: Extension of Summary Suspension

**Parties and Counsel Present:**

Shelley Johnson, Deputy Attorney General

**Participating Board Members:**

Fanning

Anderson  
St. Angelo  
Cover  
Calloway  
Wall

**Case Summary:**

State seeks an extension of the Respondent's summary suspension.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to extend the summary suspension up to and including the June Board meeting.

**Cover/Wall**

**Motion carried 6/0/0**

**State of Indiana vs. Anne Idlewine, Pharmacy Technician**

Certification No. 67000170A

Administrative Cause No. 2007 IBP 0003

Re: Extension of Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning  
Anderson  
St. Angelo  
Cover  
Calloway  
Wall

**Case Summary:**

State seeks an extension of the Respondent's summary suspension.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

**Fanning/Cover**

**Motion carried 6/0/0**

**State of Indiana vs. Katie Voltz, Technician-in-Training**

Certification No. 99022819A

Administrative Cause No. 2007 IBP 0004

Re: Extension of Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning  
Anderson  
St. Angelo  
Cover  
Calloway  
Wall

**Case Summary:**

State seeks an extension of the Respondent's summary suspension.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**State of Indiana vs. Edward Fritz, R.Ph.**

License No. 26017248A  
Administrative Cause No. 2005 IBP 0013  
Re: Order to Show Cause

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning  
Anderson  
St. Angelo  
Cover  
Calloway  
Wall

**Case Summary:**

Board issued Order to Show Cause to Respondent regarding Respondent's failure to meet probationary terms.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to issue a notice of proposed default.

**Wall/Cover**

**Motion carried 6/0/0**

A motion was made and seconded to place the Respondent's license on emergency suspension.



**Wall/Cover**

**Motion carried 6/0/0**

**State of Indiana vs. Barney Dotson, R.Ph.**

License No. 26014491A

Administrative Cause No. 2007 IBP 0010

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

A Petition for Summary Suspension was filed adverse the Respondent's license.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to summarily suspend Respondent's license for ninety (90) days.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**State of Indiana vs. Jessica Napier, Technician-in-Training**

Certification No. 99025304A

Administrative Cause No. 2007 IBP 0008

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

A Petition for Summary Suspension was filed adverse the Respondent's license.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to summarily suspend Respondent's license for ninety (90) days.

**Cover/St. Angelo**

**Motion carried 6/0/0**

**State of Indiana vs. Kathy Uebel, Pharmacy Technician**

Certification No. 67000814A

Administrative Cause No. 2007 IBP 0011

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

A Petition for Summary Suspension was filed adverse the Respondent's license.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to summarily suspend Respondent's license for ninety (90) days.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**State of Indiana vs. Kristina Perkinson, Pharmacy Technician**

Certification No. 67000283A

Administrative Cause No. 2007 IBP 0012

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

A Petition for Summary Suspension was filed adverse the Respondent's license.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to summarily suspend Respondent's license for ninety (90) days.

**Cover/Wall**

**Motion carried 6/0/0**

Immunization by Pharmacists

Bill Cover to make contact with stakeholders regarding promulgating rules for new statute allowing pharmacists to immunize.

Blue Card Rule

Discussion was held regarding Blue Card Rule and some of the issues related thereto.

**State of Indiana vs. Donn Olson, R.Ph.**

License No. 26013161A

Administrative Cause No. 2007 IBP 0009

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

A Petition for Summary Suspension was filed adverse the Respondent's license.

**Witnesses for the Respondent:**

Donn Olsen

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to deny the Petition for Summary Suspension.

**Wall/St. Angelo**

**Motion carried 5/1/0 (Calloway against)**

Board Director Report was given.

A motion was made and seconded to set the fine for violation of continuing education requirement at one thousand dollars (\$1,000.00).

**Anderson/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to provide testing accommodations for Greg Meyers when taking the NAPLEX and MPJE.

**Wall/Cover**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following score transfer for NAPLEX and allow applicant to take MPJE:

Joseph Kiel—Positive Response

**St. Angelo/Cover**

**Motion carried 6/0/0**

A motion was made and seconded to table the following pharmacy technician applications and request personal appearances:

Angela Bauer—Positive Response  
Christopher Oswald—Positive Response  
Tasha Engelmeyer—Positive Response

**St. Angelo/Cover**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following pharmacy intern renewal applications:

Katherine Surber—Pharmacy Intern Renewal  
Michelle Wenning—Pharmacy Intern Renewal  
Jeffrey Harrison—Pharmacy Intern Renewal

**St. Angelo/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following licensure transfers:

Kimberly Morgan	(KY)
Marsha Dixon	(MS)
Amanda Callaci	(IL)
Lysa Baylin	(MD)
Caitlin Crosley	(MI)
Tricia Lorenzi	(PA)
Ranna Khoury	(IL)
Cheryl Waples	(IA)
Nathan Schwab	(HI)
Garry Hall	(MI)
Katelyn Ton	(FL)
John Stasiak	(AZ)
Alise Young	(NV)

**Fanning/Wall**

**Motion carried 6/0/0**

The Board approved the appearances of the following probationers:

Shelley Brown  
Bruce Burch  
Charmaine Hendrix  
Elaine Niese  
Steven Zehring

**Cover/Fanning**

**Motion carried 6/0/0**

The Board approved the appearances of the following probationers:

Gregory Claretto  
Ronald Maze  
Dennis Mock  
Kevin Querry  
Michael Roehm

**Fanning/Cover**

**Motion carried 6/0/0**

Keith Schmidt did not appear for his probationary appearance.

A motion was made and seconded to approve the following new store applications:

<i>Store</i>	<i>Type</i>	<i>Opening</i>	<i>Received</i>
Hook-SupeRx LLC CVS/pharmacy #44 3900 Oak Hill Road Evansville, IN 47712	VI	June 10, 2007	April 17, 2007
Pecar Community Health Center Pharmacy 6940 N Michigan Rd Indianapolis, IN 46268	II	June 11, 2007	April 26, 2007
Walgreen Co Walgreens #10559 1716 Hwy 337 NW Corydon, IN 47112	VI		April 9, 2007
Madison Center Geropsych Institute 420 N Niles Ave South Bend, IN 46617	II	July 19, 2007	May 7, 2007

**Fanning/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following change of location/remodel applications:

<i>New</i>	<i>Old</i>	<i>Received</i>
Wal-Mart Pharmacy 10-1665 4801 W Clara Lane Muncie, IN 47304	Remodel	March 30, 2007
Marsh Drugs LLC #7055/790 3600 W Third St Bloomington, IN 47404	Remodel	April 30, 2007
Marsh Drugs LLC #7003/804	Remodel	April 30, 2007

1825 Kinser Pike Bloomington, IN 47404		
Riley Hospital Pharmacy Hematology/Oncology Satellite 702 Barnhill Dr ROC 3265 Indianapolis, IN 46202	Remodel	March 30, 2007
Homemed Pharmacy 6210 Technology Center Dr Indianapolis, IN 46278	Remodel	May 1, 2007
Wellspring Pharmacy-North 7120 Clearvista Dr Ste 1900 Indianapolis, IN 46256	Community Professional Pharmacy 7250 Clearvista Dr #130 Indianapolis, IN 46256	April 26, 2007
Kroger Pharmacy J-115 905 N Green St Brownsburg, IN 46112	Remodel	May 1, 2007
Wal-Mart Pharmacy 10-995 2125 N Morton St Franklin, IN 46131	Remodel	May 3, 2007
Martin's Pharmacy #20 242 N Oakland Ave Nappanee, IN 46550	1530 E Market St Nappanee, IN 46550	May 3, 2007
Wal-Mart Pharmacy 10-2771 1088 W Broadway Monticello, IN 47960	Remodel	May 7, 2007
Wal-Mart Pharmacy 10-1783 2700 W Broadway Princeton, IN 47670	Remodel	May 7, 2007
Wal-Mart Pharmacy 10-2818 1828 165 <sup>th</sup> St Hammond, IN 46320	Remodel	May 7, 2007

**Cover/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following change of ownership application:

New	Old	Received
Metro Infectious Disease Consultants 8240 Naab Rd Ste 300 Indianapolis, IN 46260	Hoosier Infectious Diseases 8240 Naab Rd Ste 160 Indianapolis, IN 46260	April 10, 2007

**Cover/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following store closings:

<i>Store</i>	<i>Type</i>	<i>Date closed</i>
Arnett Pharmacy & Special Services PC 2600 Greenbush Lafayette, IN 47904	II	April 11, 2007
Ft. Wayne State Developmental Center 4900 St. Joe Road Fort Wayne, IN 46835	II	April 27, 2007

**Cover/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following continuing education hours:

Erin Albert	(2-2hr)
Michael Todt	(2-1hr, 0.5hr)
Jennifer Mullen	(4-1hr)

**Anderson/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following applications:

Donna Sturmer—Positive Response  
Greta Blackwell Ferraz—Positive Response  
Walter Calhoon—Positive Response  
Karin Bruder—Positive Response  
Evelyn Sammons—Request for Second Tech-in-Training Permit  
Jeremy Gerardo—Positive Response  
Elaine Braun—Positive Response  
Stacy Snyder—Positive Response  
Brandy Hero-Positive Response

**St. Angelo/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to grant waiver for the following:

Heather Bokhart—Request for Waiver  
Olivia Blank—Request for Waiver  
Christopher Brown—Request for Waiver  
Ashley Bures—Request for Waiver  
Stacy Eveslage—Request for Waiver

**St. Angelo/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to table the following request for waiver:

Michael Goodrich—Request for Waiver

**St. Angelo/Fanning**

**Motion carried 6/0/0**

Board determined that Central Order Entry does not need a non-resident pharmacy license.

A motion was made and seconded to approve the following non-resident pharmacy applications:

Palm Beach Pharmacueticals  
Managed Healthcare Systems, Inc

**St. Angelo/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to deny the non-resident pharmacy application for the following:

ApotheCure, Inc

**St. Angelo/Wall**

**Motion carried 6/0/0**

Board determined that Baxter Healthcare Corporation does not need a wholesale drug distribution license.

A motion was made and seconded to approve the following HME Provider applications pending inspection:

Tri 3 Enterprises, LLC—Lyndhurst Dr, Indianapolis  
Tri 3 Enterprises, LLC—Zionsville Rd, Indianapolis

**Anderson/Cover**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following HME Provider applications pending inspection:

DJO, LLC  
Memorial Home Care Inc  
CardioSom, LLC  
Pulmonary Partners LLC  
RSVP Equipment of Greater Cincinnati  
United States Medical Supply, Inc  
CardioSom of Jeffersonville

**Anderson/Cover**

**Motion carried 6/0/0**

Del Fanning was designated by the Board as the voting delegate for the NABP.

The meeting adjourned at 4:50 p.m.

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**Steve Anderson, R.Ph., President**  
**Indiana Board of Pharmacy**

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**Date**

**Next Scheduled Meeting:**

Monday, June 11, 2007  
Indiana Professional Licensing Agency  
*Conference Center Rooms 4 & 5*